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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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<h2>TRANSMITTAL FORM</h2> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	09/993,906	
	Filing Date	November 27, 2001	
	First Named Inventor	Jax B. Cowden	
	Art Unit	2152	
	Examiner Name	not yet known	
Total Number of Pages in This Submission	5 **	Attorney Docket Number	10005.000120

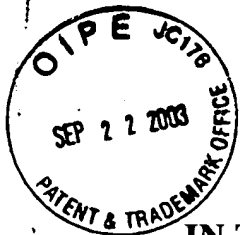
ENCLOSURES (check all that apply)		
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Remarks		** does not include pages of listed references

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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Patrick D. Benedicto, Reg No. 40,909 OKAMOTO & BENEDICTO LLP
Signature	<i>Patrick Benedicto</i>
Date	September 16, 2003

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jax B. Cowden, et al.

Serial No.: 09/993,906

Examiner: not yet known

Filed: November 27, 2001

Art Unit: 2152

Title: METHOD AND APPARATUS  
FOR DISTRIBUTING A COMPUTER  
PROGRAM

Atty. Dkt. No.: 10005.000120

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**INFORMATION DISCLOSURE STATEMENT**

**Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- 37 CFR §1.97(b).
- 37 CFR §1.97(c). If so, then either:
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.

OR

- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- 37 CFR § 1.97(d). If so, then both:
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

AND

- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Jax B. Cowden, et al.

Dated: September 16, 2003

By: Patrick D. Benedicto

Patrick D. Benedicto

Attorney For Applicant(s)

Reg. No. 40,909

OKAMOTO & BENEDICTO LLP

P.O. Box 641330

San Jose, CA. 95164-1330

Tel.: (408) 436-2110

Fax: (408) 436-2114

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Typed or Printed Name:	Patrick D. Benedicto	Dated:	September 16, 2003
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